

APPROPRIATIONS—PUBLIC JUNIOR COLLEGES

CHAPTER 346 ⁴⁷

H. B. No. 52

An Act providing for and regulating appropriations for moneys in the State Treasury not otherwise appropriated to supplement local funds for the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas as named in this Act; providing all funds allocated under the provisions of this Act with the exception of those necessary for paying the costs of audits as provided herein shall be used exclusively for the purpose of paying salaries of the instructional forces of the several institutions; providing for an annual appropriation of Nine Hundred and Twenty-five Thousand Dollars (\$925,000) for each of the fiscal years beginning September 1, 1947, and September 1, 1948, respectively, and for allocation thereof; determining the eligibility of a Public Junior College and providing for collection of certain fees from students; defining the term "full-time student" and excepting certain students; providing for disposition of unused funds; providing no funds shall be paid to any institution under the provisions of this Act until payment has been approved by the State Auditor after he has audited the books and providing the cost of auditing the books for the institution shall be paid out of the funds allocated herein; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There shall be appropriated biennially from moneys in the State Treasury not otherwise appropriated an amount sufficient to supplement local funds in the proper support, maintenance, operation, and improvement of the Public Junior Colleges of Texas, which meet the standards as herein provided; and said sum shall be allocated on a basis and in a manner hereinafter provided.

Sec. 2. To be eligible for and to receive a proportionate share of this appropriation, a Public Junior College must be accredited as a first class Junior College by the State Department of Education and the State Department of Education is hereby authorized to set up rules and provisions by which Public Junior Colleges may be inspected and accredited. And provided further that to be eligible to participate in any biennial appropriation, each Public Junior College shall offer a minimum of twenty-four (24) semester hours of vocational and/or terminal courses. And provided that in order to be eligible to participate in any biennial appropriation each Public Junior College shall have complied with all existing laws, rules, and regulations governing the establishment and maintenance of Public Junior Colleges. It shall be mandatory that each institution participating in the funds herein provided shall collect from each pupil enrolled, matriculation and other session fees not less than the amounts provided for by law and by other State-supported institutions of higher learning. Provided that all of the funds allocated under the provisions of this Act, with the exception of those necessary for paying the costs of audits as provided herein, shall be used exclusively for the purpose of paying salaries of the instructional forces of the several institutions.

Sec. 3. There is hereby appropriated for the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas as named herein, the sum of Nine Hundred and Twenty-five Thousand Dollars (\$925,000) for the fiscal year beginning September 1, 1947; and the sum of Nine Hundred and Twenty-five Thousand Dollars (\$925,-

⁴⁷ Vernon's Ann.Civ.St., art. 2815j—2.

000) for the fiscal year beginning September 1, 1948; and providing further that this appropriation shall be apportioned among the following Junior Colleges:

Blinn Junior College at Brenham;
Brownsville Junior College at Brownsville;
Hillsboro Junior College at Hillsboro;
Amarillo Junior College at Amarillo;
Clarendon Junior College at Clarendon;
Hardin Junior College at Wichita Falls;
Paris Junior College at Paris;
Texarkana Junior College at Texarkana;
Corpus Christi Junior College at Corpus Christi;
San Antonio Junior College at San Antonio;
Kilgore Junior College at Kilgore;
Ranger Junior College at Ranger;
Edinburg Junior College at Edinburg;
Gainesville Junior College at Gainesville;
Temple Junior College at Temple;
Victoria Junior College at Victoria;
Lee Junior College at Goose Creek;
Lamar Junior College at Beaumont;
Tyler Junior College at Tyler;
San Angelo Junior College at San Angelo;
Cisco Junior College at Cisco;
Navarro County Junior College at Corsicana;
Wharton County Junior College at Wharton;
Southwest Texas Joint Counties Junior College at Uvalde;
Howard County Junior College at Big Springs;
Henderson County Junior College at Athens;
Odessa Junior College at Odessa;
University of Houston, Houston, Texas, Junior College Division,
freshman and sophomore students only.
Borger Junior College at Borger, Texas;
Laredo Junior College at Laredo, Texas.

Provided that each of the above Public Junior Colleges shall qualify within the requirements of this Act; and provided further that the funds here appropriated shall be disbursed to and distributed among the Public Junior Colleges which qualify to receive it on the basis of One Hundred Dollars (\$100) per capita for each full-time student per scholastic year or equivalent thereof if the calendar year is divided into more than two (2) terms; provided that the term "full-time student" shall not include members of the Armed Forces of the United States of America and auxiliaries thereof or members of the Armed Forces Reserve of the United States of America and auxiliaries thereof and any other students whose expenses are paid by the United States Government and providing that "full-time student" as herein used is defined as a student doing fifteen (15) semester hours of work, or equivalent thereof, and that the number of full-time students enrolled in any school to be benefited by this Act shall be determined by dividing the total number of semester hours of work carried by all students of the school, as of November first in any fiscal year, by fifteen (15) or the equivalent thereof in terms of semester hours.

Sec. 4. Any amount appropriated and not used during the fiscal year beginning September 1, 1947, and ending August 31, 1948, is herein placed to the credit of said Public Junior Colleges to be used as other appropriations during the next fiscal year. Any amount appropriated and not used during the fiscal year beginning September 1, 1948, and

ending August 31, 1949, shall revert to the General Revenue Fund of the State of Texas.

Sec. 4a. No funds shall be paid to any institution under the provisions of this Act until the payment has been approved by the State Auditor after he has audited the books of the institution. The cost of such audit shall be paid out of the funds allocated herein.

Sec. 5. The fact that local funds now made available for the support, maintenance, and operation of all Public Junior Colleges are inadequate to provide the educational facilities which are needed by students of such institutions creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, April 22, 1947: Yeas 112. Nays 16; passed the Senate, May 22, 1947, by a viva voce vote.

Approved June 6, 1947.

Effective 90 days after June 6, 1947, date of adjournment.

ADMISSION TAXES—EXEMPTIONS

CHAPTER 347

H. B. No. 202

An Act amending Section 6 of Article III of House Bill No. 8, Acts, Forty-fourth Legislature, Third Called Session, as amended and re-enacted by House Bill No. 377, Acts of the Regular Session, Forty-fifth Legislature, exempting from taxation any admission collected for dances, moving pictures, operas, plays and musical entertainments, all proceeds of which inure exclusively to the benefit of State, religious, educational or charitable institutions, organizations, or societies, or for any type of exhibition or amusement conducted by and for which all of the net proceeds inure to the benefit of a nonprofit corporation, organized and chartered under the Laws of the State of Texas, for the purpose of encouraging agriculture by the maintenance of public fairs and exhibitions of livestock; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 6 of Article III of House Bill No. 8, Acts, Forty-fourth Legislature, Third Called Session, as amended and re-enacted by House Bill No. 377, Acts of the Regular Session, Forty-fifth Legislature, be and the same is hereby amended⁴⁸ so as to hereafter read as follows:

"Section 6

"Every person, firm, association of persons, or corporation owning or operating any place of amusement which charges a price or fee for admission, including exhibitions in theaters, motion picture theaters, opera halls, and including horse racing, dog racing, motorcycle racing, automobile racing, and like contests and exhibitions, and including dance halls; night clubs, skating rinks, and any and all other places of amusements not prohibited by law, shall file with the State Comptroller a quarterly report on the twenty-fifth day of January, April, July, and October for the quarter ending on the last day of the preceding month; said report shall show the gross amount received and the price or fee for admission; provided, however, no tax shall be levied under this Act on any admission collected for dances, moving pictures, operas, plays,

⁴⁸ Vernon's Ann.Civ.St., art 7017a—19.